

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

BRUCE WHITE, on behalf of himself and all others similarly situated	)	CASE NO. 1:11-CV-02615
	)	
	)	JUDGE: JAMES S. GWIN
Plaintiffs,	)	
	)	
vs.	)	
	)	<b>JOINT MOTION TO PERMIT</b>
CRST, INC.	)	<b>TELEPHONIC APPEARANCE AT</b>
	)	<b>THE STATUS CONFERENCE</b>
Defendant.	)	

Plaintiff, Bruce White (“Plaintiff”) and Defendant CRST, Inc. (“CRST”) (collectively the “Parties”) pursuant to Local Rule 16.3(d), respectfully request that the Court excuse the personal attendance of the Plaintiff and CRST’s insurance carrier representative at the Status Conference scheduled for May 8, 2012, and, instead, allow them to attend telephonically. Even though telephonic attendance is being requested herein, lead counsel for the Parties as well as CRST’s General Counsel will be attending the Status Conference in person.

Local Rule 16.3(d) provides that “The parties, each of whom will have settlement authority, and lead counsel of record must participate in the Status Conference. The parties must participate in person unless, upon motion with good cause shown or upon its own motion, the Judicial Officer allows the parties to be available for telephonic communication.” Here, the Plaintiff resides in Tulsa, Oklahoma, and CRST’s insurance carrier representative is located in New York, NY and as such, both would incur the burden and expense of travel and a potential overnight stay if they were required to attend the Status Conference in person.

This Motion is not meant to delay these proceedings. Instead, and as set forth in the Joint Motion to Modify Case Management Schedule (Document 24), the Parties are still in the process of identifying, collecting and/or reviewing voluminous electronically stored information and due to the documentation already exchanged, Plaintiff may be filing a Motion for Leave to File his

First Amended Class Action Complaint, which will require additional discovery to take place. Accordingly, telephonic attendance will not result in a delay of these proceedings and will not be prejudicial under the circumstances. The Parties assert that good cause has been shown to excuse the Plaintiff as well as CRST's insurance carrier representative from personally appearing at the Status Conference.

For these reasons, the Parties respectfully request that this Court enter an Order excusing the Plaintiff and CRST's insurance carrier representative from personally appearing at the Status Conference on May 8, 2012, and permitting them instead to participate in the Status Conference telephonically. As previously indicated, lead counsel for the Parties as well as CRST's General Counsel will be attending the Status Conference in person.

Respectfully submitted,

/s/ Anthony R. Pecora

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**CERTIFICATE OF SERVICE**

This is to certify that the foregoing was filed electronically on the 18<sup>th</sup> day of April, 2012 in accordance with the Court's Electronic Filing Guidelines. Notice of this filing will be sent to all parties by operation of the Court's Electronic Filing System. Parties may access this filing through the Court's Filing System.

/s/ Gregory J. Lucht

*One of the Attorneys for Defendant CRST, Inc.*